

**LAW OFFICE
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January 29, 2013

Nathaniel V. Thompkins, Esq.
NEW-MEXICO FIRM, LLC
103 N. St. Francis Drive, Unit A
Santa Fe, New Mexico 87501

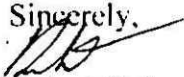
**RE: *Rapatz v. City of Espanola,*
*Cause No.: CIV 12-00827 RHS/LFG***

Dear Counsel:

Enclosed are City Defendants' Rule 26 Initial Disclosures in regard to the above-referenced matter. A copy of the Certificate of Service regarding same, filed this date with the Court is also enclosed for your records.

If you have any questions concerning the above, please do not hesitate to contact my office.

Sincerely,


Robert Cole

RLC/jml
Enclosure as indicated

Exhibit A

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

**TONY RAPATZ, ALICE GUERRA, and
KATHERINE GUERRA,**

Plaintiffs,

v.

Cause No.: CIV 12-00827 RHS/LFG

**CITY OF ESPANOLA;
JOE MARTINEZ, individually;
CHRISTIAN LOPEZ, individually;
ROBERT VIGIL, individually;
DANNY PACHECO, individually; and
CITY OF ESPANOLA EMPLOYEES and SUPERVISORS JOHN/JANE DOES 1 through
5, individually,**

Defendants.

CITY DEFENDANTS' RULE 26 INITIAL DISCLOSURES

COME NOW the Defendants, CITY OF ESPANOLA, JOE MARTINEZ, CHRISTIAN LOPEZ, ROBERT VIGIL and DANNY PACHECO, ("City Defendants"), by and through their counsel of record, LAW OFFICE OF ROBERT COLE (by Robert Cole), and pursuant to Fed.R.Civ.P. 26(a)(1), disclose as follows:

A. Individuals Likely to Have Discoverable Information

1. Tony Rapatz
c/o Nathaniel V. Thompkins
103 St. Francis Drive, Unit A
Santa Fe, New Mexico 87501
(505) 988-9750

Mr. Rapatz is a named Plaintiff in this matter. It is anticipated he will testify with regard to the allegations asserted in the Complaint.

Exhibit A

2. Alice Guerra
c/o Nathaniel V. Thompson
103 St. Francis Drive, Unit A.
Santa Fe, New Mexico 87501
(505) 988-9750

Ms. Guerra is a named Plaintiff in this matter. It is anticipated she will testify with regard to the allegations asserted in the Complaint.

3. Katherine Guerra
c/o Nathaniel V. Thompson
103 St. Francis Drive, Unit A.
Santa Fe, New Mexico 87501
(505) 988-9750

Ms. Guerra is a named Plaintiff in this matter. It is anticipated she will testify with regard to the allegations asserted in the Complaint.

4. Mr. Bradley Gonzales
2627 Floral Road
Albuquerque, New Mexico 87104

It is anticipated Mr. Gonzales will testify with regard to his personal knowledge of the facts and circumstances forming the basis of Plaintiffs' Complaint.

5. Robert Vigil
c/o Robert Cole
LAW OFFICE OF ROBERT COLE
6303 Indian School Road NE, Ste 100
Albuquerque, New Mexico 87110
(505) 872-8626

Officer Vigil is a Defendant in this matter. It is anticipated he will testify with regard to his personal knowledge of the facts and circumstances forming the basis of Plaintiffs' Complaint and Defendants' response to Plaintiffs' allegations.

6. Danny Pacheco
c/o Robert Cole
LAW OFFICE OF ROBERT COLE
6303 Indian School Road NE, Ste 100
Albuquerque, New Mexico 87110
(505) 872-8626

Officer Pacheco is a Defendant in this matter. It is anticipated he will testify with regard to his personal knowledge of the facts and circumstances forming the basis of Plaintiffs' Complaint and Defendants' response to the Plaintiffs' allegations.

Exhibit A

7. Joe Martinez
c/o Robert Cole
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(505) 872-8626

Defendant Martinez is expected to testify with regard to his personal knowledge of the facts and circumstances forming the basis of Plaintiffs' Complaint, Defendants' response to the Plaintiffs' allegations, and any other relevant matters within his personal knowledge as they relate to the facts and circumstances of this lawsuit.

8. Christian Lopez
c/o Robert Cole
LAW OFFICE OF ROBERT COLE
6303 Indian School Road NE, Ste 100
Albuquerque, New Mexico 87110
(505) 872-8626

Defendant, Lopez, is expected to testify with regard to his personal knowledge of the facts and circumstances forming the basis of Plaintiffs' Complaint. Defendants' response to the Plaintiffs' allegations, his interactions and communications with Plaintiffs and Bradley Gonzales, and any other relevant matters within his personal knowledge as they relate to the facts and circumstances to this lawsuit.

9. Any witness identified through the course of ongoing discovery whose identity is not yet known.
10. Any witness identified by the Plaintiffs.
11. Any expert witness identified by the parties to this lawsuit.
12. Rebuttal witnesses whose identity is not known at this time.

B. Documents in City Defendants' Possession or Control

City Defendants may offer into evidence the following:

1. All police reports and supporting documents, including Affidavits for Search Warrants, Search Warrants and similar documents which relate to the incidents forming the basis of Plaintiffs' Complaint and Defendants' Answer to the Complaint.
2. Policies and Procedures of the City of Espanola Police Department.
3. Expert Reports.

Exhibit A

4. In addition, City Defendants may offer into evidence records provided or identified in Plaintiffs' Initial Disclosures.
5. Any exhibit identified by any party in this matter;
6. Any exhibit identified through the course of discovery of this matter;
7. Any exhibit necessary for purpose of impeachment or rebuttal.
8. City Defendants reserve the right to supplement this list.

C. Insurance.

Defendant City of Espanola is insured by Praetorian Insurance Company, Policy No.:
H631-000052-03.

Respectfully submitted,



ROBERT COLE
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Attorney for Defendant

Exhibit A